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February 9, 2022

Re: *Black v. Ganieva, et al.*, S.D.N.Y. Case No. 1:21-cv-08824

Honorable Paul A. Engelmayer
United States District Court
Southern District of New York
40 Foley Square, Room 2201
New York, New York 10007

Dear Judge Engelmayer:

My firm represents Joshua Harris in this matter. I write in support of Wigdor LLP and Ms. Ganieva's request to adjourn the initial conference until after Mr. Harris and Steven Rubenstein have responded to the Amended Complaint. [ECF No. 59.] We agree the requested relief is appropriate because, consistent with this Court's practice, it will allow Mr. Harris to participate in the initial conference with the benefit of having filed our motion to dismiss.

As noted by counsel for Wigdor LLP and Ms. Ganieva, curiously, Mr. Black still has not served Mr. Harris and Mr. Rubenstein with the Amended Complaint. On January 26, 2022, two days after the Amended Complaint was filed, I emailed Mr. Black's counsel, Ms. Estrich, asking for a call to discuss accepting service of that Complaint and a briefing schedule for our motion to dismiss. I am still waiting for Ms. Estrich's firm to have that discussion.¹ It is unclear why Mr. Black's counsel has not yet engaged meaningfully to effect service on Mr. Harris. In any event, Plaintiff's refusal to agree to the requested adjournment of the initial conference is surprising given the lack of urgency displayed in serving Mr. Harris.

In light of the legally baseless, wholly unfounded, and intentionally and tactically scandalous claims made by Mr. Black, Mr. Harris looks forward to the opportunity to participate as a party in this litigation so that he can defend himself. Once Mr. Harris is served, we anticipate being able to move expeditiously to file a motion to dismiss so that the Court can hear and resolve motions by all defendants as quickly and efficiently as possible. Assuming that there are no further delays in service of the Amended Complaint, we see no reason why the short adjournment requested by Wigdor LLP and Ms. Ganieva would unduly delay these proceedings or prejudice any of the parties.

Respectfully yours,



Paul Spagnoletti

cc: All counsel via ECF.

Electronic Filing

¹ Ms. Estrich initially responded on January 26, 2022, that she or her partner Anya Goldin would be happy to talk the following day. The next day, Ms. Goldin suggested we speak the following week. Ms. Goldin followed up on February 3, 2022, stating she would "be in touch in the near future."